

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 13, 2003 LR 16

that department is an executive officer. You go down to the next sentence. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law establish. The Legislature can establish departments, or these offices, and place one of these named officers as the head. Then we come to this language that is not talking about state executive officers. An employee of a political subdivision of the state who is not holding elected office shall not be considered an executive officer or a member of the executive branch for purposes of this section. I would like to ask Senator Schimek a question.

SENATOR CUDABACK: Senator Schimek, would you yield to a question from Senator Chambers?

SENATOR SCHIMEK: Yes, I will.

SENATOR CHAMBERS: Senator Schimek, would you agree or disagree that there are executive officers other than those who exist at the state level? Would the mayor of a city be an executive officer?

SENATOR SCHIMEK: Of the city.

SENATOR CHAMBERS: Yes. The provision being amended here, this part of the constitution, is talking about state officers.

SENATOR SCHIMEK: That is correct.

SENATOR CHAMBERS: A mayor would not be a state officer. These employees would not be state officers.

SENATOR SCHIMEK: That's correct.

SENATOR CHAMBERS: Why is this provision of the constitution being amended?

SENATOR SCHIMEK: Well, thank you for giving me the opportunity to explain further. And there was an Attorney General's Opinion at some point in time, and I just received this, so I'm not exactly sure what year it was.